

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DELAilah PEREZ, and her unborn fetus,
newborn, and her two minor children; SUSAN
SUAREZ,

Plaintiffs,

-against-

NEW YORK CITY, et al.,

Defendants.

20-CV-11053 (CM)

ORDER DIRECTING PAYMENT OF FEE
OR IFP APPLICATION

COLLEEN McMAHON, Chief United States District Judge:

Plaintiffs Delailah Perez and Susan Suarez bring this action *pro se*. To proceed with a civil action in this Court, Plaintiffs must either pay \$402.00 in fees – a \$350.00 filing fee plus a \$52.00 administrative fee – or, to request authorization to proceed *in forma pauperis* (IFP), that is, without prepayment of fees, each submit a signed IFP application. *See* 28 U.S.C. §§ 1914, 1915.

Plaintiffs submitted the complaint without the filing fees and only an IFP application for Plaintiff Perez. Within thirty days of the date of this order, Plaintiffs must either pay the \$402.00 in fees or Plaintiff Suarez must complete and submit the attached IFP application. If Plaintiff Suarez submits the IFP application, it should be labeled with docket number 20-CV-11053 (CM). If the Court grants the IFP applications, Plaintiffs will be permitted to proceed without prepayment of fees. *See* 28 U.S.C. § 1915(a)(1).

The Clerk of Court is directed to mail a copy of this order to each plaintiff and note service on the docket. No summons shall issue at this time. If Plaintiff Suarez complies with this order, the case shall be processed in accordance with the procedures of the Clerk's Office. If

Plaintiff Suarez fails to comply with this order within the time allowed, she will be dismissed as a party from this action.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444–45 (1962) (holding that appellant demonstrates good faith when seeking review of a nonfrivolous issue).

SO ORDERED.

Dated: January 19, 2021
New York, New York

A handwritten signature in black ink, appearing to read "Colleen McMahon", is written over a horizontal line.

COLLEEN McMAHON
Chief United States District Judge